IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 7018 OF 2005
IN
CRIMINAL WRIT PETITION NOS. 160 TO 164 OF 2005
ALONGWITH
CRI. APPLICATION NOS. 4273 TO 4277 OF 2005

Mr. Avinash Chimanlal Maniar & Anr ...Applicants

Versus

Mr. Bibek Ray Chaudhary & Ora ...Respondents

And

M/s. HMP Engineers Ltd. ...Respondents

.....

Mr. I.B. Sonwane, Advocate for Applicants

Mr. N.V. Pradhan i/b Miss. S.D. Khot, Advocate for Respondent No.1.

Mr. B.H. Mehta, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 24TH OCTOBER, 2005

P. C.:-

1. Heard the learned advocate for the applicants i.e. original complainants and the learned advocate for respondents i.e. original accused.

2. The applicants are respondent Nos. 1 and 2 in Cri. application Nos. 4273 to 4277 in Cri. Writ petition Nos. 160 of 2005 to 164 of 2005 and the respondents are applicants therein. By order dated 10.10.2005 all these applications and writ petitions

are disposed of. In the said orders old case numbers are mentioned in para 2 and 3. The old case numbers are 989/S/2003, 990/S/2003, 991/S/2003, 992/S/2003 and 993/S/2003. The said cases are now numbered as 2511, 2512, 2513, 2514 and 2515 of 2005. Earlier these cases were pending before the learned M.M. 15th Court, Mazgaon, Mumbai. Today the said cases are pending before the learned M. M. 6th Court, Mazgaon, Mumbai. New case numbers and the Court where the matters are now pending be incorporated in the order dated 10.10.2005.

4. The applicants have also prayed that all five criminal cases be kept in dormant file till the said payment is made in full i.e. within 12 months as per the schedule of payment. I am not inclined to pass the said order as in the order dated 10.10.2005 it has been clarified that if there is any default in making payment of any instalment, the cases which have been quashed shall stand revived.

5. Application is disposed of.

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